

MHAU100005392023



R.C.S./46/2023

Pawan Mansing Jonwal Vs. Nihalsing Dattu Jonwal

ORDER BELOW EXH.-25

The defendant has filed an application to set aside no cross order passed against him. Wherein it is submitted that his brother was ill. Therefore, he could not present on last date. Hence, prayed to allow the application.

02. Per contra, plaintiff has filed say and opposed the application. It is contended that defendant is prolonging the matter and witness is presnet. Hence, prayed to reject the application.

03. Perused the application, say and record of the case. Heard learned advocate of the plaintiff. Defendant and his advocate called absent. Therefore, the application is being decided without hearing of defendant. The defendant contended that due to the illness of his brother he is unable to present before the Court and no cross order is passed. From perusal of the record, it shows that on 26.02.2026 below Exh.23 no cross order passed against the defendant. However, considering the reason mentioned in the application and to adjudicate the matter on merit and in the interest of justice, I pass following order:

ORDER

1. The application is allowed.
2. No cross order passed on 26.02.2026 below Exh.23 is set aside.

Date- 24.04.2026.

(G. D. Gurnule)
Jt. Civil Judge Jr. Div.
Khultabad.